

Docket No.: 4670-0117PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Junji KODEMURA et al.

Application No.: 10/567,116

Confirmation No.: 3013

Filed: February 3, 2006

Art Unit: 1713

For: POLYMERIZABLE COMPOSITION AND
MOLDED PRODUCT USING THE SAME

Examiner: R. D. Harlan

**COMMENTS ON THE EXAMINER'S STATEMENT OF REASONS FOR
ALLOWANCE**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following comments are submitted in response to the Examiner's Reasons For Allowance dated September 2, 2008 in connection with the above-identified application.

In the paragraph numbered as "6" of the Examiner's Reasons for Allowance, the Examiner states as follows:

Pasquier differs from the present invention in that the present invention comprises a cycloolefin (A) which is not ring-opened polymerized and a metathesis polymerization catalyst. (D). The present invention further comprises a polymer composition which has been polymerized already and the term "*polymerization* composition" denotes a composition that has not been polymerization even though a metathesis catalyst is part of the composition. (Emphasis added).

Applicants believe that the Examiner misspoke in the last sentence. It appears that the Examiner meant to state as follows:

...the term "*polymerizable* composition" denotes a composition that has not been [polymerized]... even though a metathesis catalyst is part of the composition. (Emphasis added).

Furthermore, Applicants emphasize that it is the claims which define the patentable subject matter, not the comments of the Examiner.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 31, 2008

Respectfully submitted,

By  #43575

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant